

Exhibit 12

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60 South Sixth Street
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Re: *Finjan LLC v. Palo Alto Networks, Inc.*, Case No.14-cv-04908-JD (N.D. Cal.)

Dear Phil:

We write regarding Finjan's deficient production of materials from other Finjan cases. Finjan's continuing failure to timely supplement its production of these materials has prejudiced Palo Alto Networks' ("PAN") ability to complete its invalidity contentions as well as its ability to prepare for other case deadlines, *e.g.*, the parties' claim construction briefing and the parties' damages disclosures. PAN requests that Finjan produce these documents by no later than August 27, 2021.

Request for Production Nos. 1, 2, 26-32, 38-41, 85, 86 and Interrogatory Nos. 1, 2. We appreciate Finjan's June 4, 2021 production of prior art, invalidity contentions, and claim charts from Check Point (3:18-cv-02621), SonicWall (5:17-cv-04467), Rapid7 (1:18-cv-01519), Qualys (4:18-cv-07229), Cisco (5:17-cv-00072), Juniper Networks (3:17-cv-05659), and ESET (3:17-cv-00183) (collectively, "Other Finjan Cases"). But, Finjan's production does not include documents cited in the claim charts, including, for example, documents that Qualys and Check Point used to support their invalidity contentions based on the SurfinGate and Check Point FireWall-1 prior art systems. Particularly, PAN requests Finjan promptly produce the underlying documents cited in (1) Qualys' Invalidity Contentions at page 53 (FINJAN-PAN 402397 at -402450) and Exhibit C-27 (FINJAN-PAN 403319), and (2) Check Point's Invalidity Contentions at pages 13-14 (FINJAN-PAN 382043 at 382057-58), Chart G-5 (FINJAN-PAN 382383), and Chart G-7 (FINJAN-PAN 383079). These documents are indicated by their names listed in Appendix A to this letter, attached hereto. Finjan should further produce all source code printouts in its possession detailing the SurfinGate and Check Point FireWall-1 prior art systems. This includes, but is not limited to, the source code identified and described in Chart G-5 (FINJAN-PAN 382383) from Check Point's Invalidity Contentions.

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Request for Production Nos. 10, 11, 21, 24, 26-32, 38-41, 66-71, 85, 86. We appreciate Finjan's production of validity/invalidity contentions, claim construction disclosures, and certain expert reports in support of the foregoing. But, Finjan has not produced *all* documents filed, submitted, served, or exchanged in the Other Finjan Cases, including, without limitation, expert reports, damages contentions, any claim charts or appendices to the foregoing, and fact and expert testimony (e.g., deposition transcripts and exhibits, trial transcripts and exhibits, video, declarations, affidavits). Especially critical is the production of testimony from Finjan's fact witnesses (e.g., Philip Hartstein), Finjan's expert witnesses (e.g., Dr. Alessandro Orso, Eric Cole, Dr. Nenad Medvidovic, Dr. DeForest McDuff, Dr. Robert Maness), and the named inventors of the Asserted Patents (e.g., Shlomo Touboul, David Kroll). For example, we have not located all of the deposition transcripts and trial transcripts that have involved Mr. Touboul, including deposition transcripts from the *Secure Computing*, *Proofpoint*, *ESET*, *Sophos*, *McAfee*, *Blue Coat I*, and *Cisco* cases; and the videotaped depositions that were played at the *Blue Coat I*, *Sophos*, *ESET*, and *McAfee* trials. Finjan should promptly produce these documents.

* * *

We can be available to meet and confer if needed and look forward to Finjan promptly supplementing its production by no later than August 27, 2021.

Sincerely,



Eric W. Lin

APPENDIX A

<u>Prior Art System</u>	<u>Document</u>
SurfinGate	“the Products marketing materials from Finjan’s website” (“Products Web Marketing”)
	“SurfinGate ‘Reinvents’ Internet Security First to Protect Against Downloadables at the Gateway Level” (“SurfinGate Gateway Level Press Release”)
Check Point FireWall-1	“Check Point FireWall-1 TM White Paper Version 3.0 – January 1997”
	“Gs.pdf”
	“AR.pdf”
	“Pre-release source code”
	“3.0 release source code”
	“October 1996 press release”
	“FireWall.pdf”
	“UFP.pdf”
	“CP Management.pdf”
	“cvp.pdf”
	“Chapter 3, ‘Content Security’ of FireWall-1 Architecture and Administration”